



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
1125 N. Military Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TDD 920-492-5912

December 22, 1999

J. C. Basten Family Trust
P.O. Box 547
Green Bay, Wisconsin 54305

Subject: Case Closure, J.C. Basten Construction, 1834 Morrow Street, Green Bay,
Wisconsin BRRTS #: 03-05-000269

To Whom it May Concern:

The Department has received the monitoring well abandonment forms and the proof of filing of the Groundwater Use Restriction for the above property. This case will now appear as closed on the Department's case tracking system.

If you have any questions regarding this case or this letter, please contact me in Green Bay at 920-492-5861.

Yours truly,

Alan Thomas Nass, P.G., P.S.
Hydrogeologist

Cc: Bob Mottl, STS Consultants, 1035 Kepler Drive, Green Bay, Wisconsin 54311

454244

vs 308 me 255

This indenture, Made this 1st day of March, A.D. 1952,
between Jacob C. Baston and Caroline Baston, his wife, and Caroline
Baston, individually and with respect to her own separate interests, in
the hereinafter described premises, parties of the first part,
and Jacob C. Baston, Trustee of the Baston Family Trust

party of the second part

Witnesseth, That the said parties of the first part for and in consideration of the sum of
One (\$1.00) Dollar and other good and valuable consideration Dollars,
to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and
acknowledged, have given, granted, bargained, sold, remised, released and quit-claimed, and by these presents do
give, grant, bargain, sell, remise, release and quit-claim unto the said party of the second part, and to his
heirs and assigns forever, the following described real estate, situated in the County of Brown,
State of Wisconsin, to-wit:

That part of the North one-half ($N\frac{1}{2}$) of the Northwest Quarter
($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), of Section 32, Township 24 North,
Range 21 East, Town of Preble, Brown County, Wisconsin, described
as follows: Commencing at the Southwest corner of said North one-half
($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$),
running thence S. $89^{\circ} 49' 10''$ E. along the south line thereof, 423.85
feet to a starting point; thence continuing S. $89^{\circ} 49' 10''$ E., 567.64
feet to the Southerly line of the Right-of-Way of the Kewaunee,
Green Bay & Western Railroad Company; thence N. $63^{\circ} 51' 40''$ W. along
the Southerly line of said Right-of-Way, 630.57 feet; thence
S. $0^{\circ} 19' 20''$ W., 276 feet to the starting point, containing 1.798
acres of land; also

That part of the North one-half ($N\frac{1}{2}$) of the Northwest Quarter
($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), of Section 32, Township 24 North,
Range 21 East, Town of Preble, Brown County, Wisconsin, described as
follows: Commencing at the Southwest corner of said North one-half
($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$),
running thence in a Northerly direction along the Easterly line of
Henry Street and parallel thereto 151 feet to the place of beginning;
thence S. $89^{\circ} 49' 10''$ E. 423.85 feet more or less to the Easterly line
of the parcel described in the preceding paragraph; thence Northerly
in a line parallel to the East line of Henry Street 16 feet; thence
N. $89^{\circ} 49' 10''$ W. 423.85 feet more or less to the Easterly line of
Henry Street; thence in a Southerly direction along said Easterly line
16 feet to the place of beginning; also

That part of the North one-half ($N\frac{1}{2}$) of the Northwest Quarter
($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 32, Township 24 North,
Range 21 East, Town of Preble, Brown County, Wisconsin, described as
follows: Commencing at the Southwest corner of said North one-half
of the Northwest Quarter of the Southeast Quarter, running thence South
 $89^{\circ} 49' 10''$ East along the South line thereof, 423.85 feet; thence
North $0^{\circ} 19' 20''$ East, 276 feet to a starting point; thence South
 $0^{\circ} 19' 20''$ West 276 feet; thence North $89^{\circ} 49' 10''$ West 75 feet; thence
North $0^{\circ} 19' 20''$ East to the Southerly line of the Right-of-way of the
Kewaunee, Green Bay & Western Railroad Company; thence in a general
Southeasterly direction along said South line of the Right-of-way of
the Kewaunee, Green Bay & Western Railroad Company to the place of
beginning;

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excepting from all of the aforesaid that part of the North one-half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 24 North, Range 21 East, Town of Preble, Brown County, Wisconsin, described as follows: Commencing at the Southwest Corner of said North one-half of the Northwest Quarter of the Southeast Quarter and running thence South 89° 49' 10" East, along the South line thereof, 604.49 feet to a starting point; thence continuing South 89° 49' 10" East, 387.0 feet to the Southerly line of the right of way of the Kewaunee, Green Bay & Western Railroad Company; thence North 63° 51' 40" West, along the Southerly line of said right of way, 310.0 feet; thence South 38° 46' 06" West, 173.6 feet to the starting point, containing 0.6 acres of land, conveyed by Jacob C. Basten and wife to Zimonick, grantee, by deed dated January 11, 1947, and recorded in Volume 267 of Deeds at page 583, bearing Document No. 337748;

and excepting from all of the aforesaid that part of the North One-Half of the Northwest Quarter of the Southeast Quarter (N ½ of NW ¼ of SE ¼) of Section Thirty-Two (32), in Township Twenty-Four (24) North, Range Twenty-One (21) East, Town of Preble, Brown County, Wisconsin, described as follows: A strip of land Sixty (60) feet in width to be known as Morrow Street, being Thirty (30) feet North and Thirty (30) feet South of the following described center line: Commencing at the Southwest corner of said Northwest Quarter of the Southeast Quarter and running thence S. 89° 59' 57" E, 48.95 feet to the East line of Henry Street; thence N 0° 49' 20" E on the East line of Henry Street, 239.0 feet; thence S 89° 14' 30" E, to the west line of a tract of land described in Volume 259 of Deeds on Page 577, Brown County Register of Deeds Office as a starting point; thence continuing S 89° 14' 30" E to the Southerly line of Kewaunee, Green Bay & Western Railroad Co's right-of-way; Also a strip of land Sixty (60) feet in width adjoining the Southerly line of said railroad right-of-way and running from the above described (Morrow Street) South 63° 51' 40" E, along said right-of-way to the tract of land described in Volume 267 of Deeds on page 583, Brown County Register of Deeds Office; Also a Sixteen (16) foot strip described in Volume 229 of Deeds on Page 134, Brown County Register of Deeds Office. The parcels of land herein excepted were conveyed by Jacob C. Basten and wife to the Town of Preble, grantee, by deed dated December 17, 1948, and recorded in Volume 283 of Deeds at page 406, bearing Document No. 376333.

-2-

To have and to hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said part 1st, of the first part, either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said party of the second part, his heirs and assigns FOREVER.

In Witness Whereof, the said part 1st, of the first part has hereunto set their hands and seals this 1st day of March, A. D. 1952.

SIGNED AND SEALED IN PRESENCE OF

George J. Schuler
George J. Schuler
A. D. ALK

Jacob C. Basten
JACOB C. BASTEN (SEAL)
Caroline Basten
CAROLINE BASTEN, wife of (SEAL)
Jacob C. Basten (SEAL)

Caroline Basten
CAROLINE BASTEN, Individually (SEAL)
and on her own behalf

State of Wisconsin, ss.

BROWN County.

Personally came before me, this 1st day of March, A. D. 1952, the above named JACOB C. BASTEN and CAROLINE BASTEN, his wife

to me known to be the persons who executed the foregoing instrument and acknowledged the same.

No documentary stamps are necessary as the consideration for this deed is nominal and under \$50.00.

Marna E. Schuler
MARNA E. SCHULER
Notary Public, Brown County, Wis.

My commission expires 7-25-54

454214

Vol 308 No 257

454214

John G. Huston and

Caroline Huston

John G. Huston, trustee

of the Huston Family Trust

John G. Huston

Madison, Wisconsin

County

July 27

1952

and record of

of Deeds

1952

Book of Deeds

Page

1952

1952

George J. Malkin

408 E. Wisconsin Ave.

Milwaukee 2, Wis.

Witness

729041

Document Number

GROUNDWATER USE RESTRICTION
Document Title

JEFFERSON COUNTY
REGISTER OF DEEDS
JEFFERSONVILLE

MAY 26 A 11:13

Recording Area

Name and Return Address

18²⑤
STS Consultants LTD
1035 Kepler Dr.
GB WI 54311

Parcel Identification Number (PIN)

"This page is part of this legal document DO NOT REMOVE "

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document.

Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m) WRDA 2/99

RECEIVED
OCT 06 1999

Document Number BASTEN GROUNDWATER USE RESTRICTION
Construction Co., Inc.

Declaration of Restrictions

That part of the North one-half (N ½) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼), of Section 32, Township 24 North, Range 21 East, Town of Preble, Brown County, Wisconsin, described as follows: Commencing at the Southwest corner of said North one-half (N ½) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼), running thence S. 89° 49' 10" E. along the south line thereof, 423.85 feet to a starting point; thence continuing S. 89° 49' 10" E., 567.64 feet to the Southerly line of the Right-of-Way of the Kewaunee, Green Bay & Western Railroad Company; thence N. 63° 51' 40" W. along the Southerly line of said Right-of-Way, 630.57 feet; thence S. 0° 19' 20" W., 276 feet to the starting point, containing 1.798 acres of land; also

That part of the North one-half (N ½) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼), of Section 32, Township 24 North, Range 21 East, Town of Preble, Brown County, Wisconsin, described as follows: Commencing at the Southwest corner of said North one-half (N ½) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼), running thence in a Northerly direction along the Easterly line of Henry Street and parallel thereto 151 feet to the place of beginning; thence S. 89° 49' 10" E. 423.85 feet more or less to the Easterly line of the parcel described in the proceeding paragraph; thence Northerly in a line parallel to the East line of Henry Street 16 feet; thence N. 89° 49' 10" W. 423.85 feet more or less to the Easterly line of Henry Street; thence in a Southerly direction along said Easterly line 16 feet to the place of beginning; also

That part of the North one-half (N ½) of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section 32, Township 24 North, Range 21 East, Town of Preble, Brown County, Wisconsin, described as follows: Commencing at the Southwest corner of said North one-half of the Northwest Quarter of the Southeast Quarter, running thence South 89° 49' 10" East along the South line thereof, 423.85 feet; thence North 0° 19' 20" East, 276 feet to a starting point; thence South 0° 19' 20" West 276 feet; thence North 89° 49' 10" West 75 feet; thence North 0° 19' 20" East to the Southerly line of the Right-of-Way of the Kewaunee, Green Bay & Western Railroad Company; thence in a general Southeasterly direction along said South line of the Right-of-Way of the Kewaunee, Green Bay & Western railroad Company to the place of beginning;

Excepting from all of the aforesaid that part of the North one-half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 24 North, Range 21 East, Town of Preble, Brown County, Wisconsin, described as follows: Commencing at the Southwest Corner of said North one-half of the Northwest Quarter of the Southeast Quarter and running thence south 89° 49' 10" East, along the South line thereof, 604.49 feet to a starting point; thence continuing South 89° 49' 10" East, 387.0 feet to the Southerly line of the Right-of-Way of the Kewaunee, Green Bay & Western Railroad Company; thence North 63° 51' 40" West, along the Southerly line of said Right-of-Way, 310.0 feet; thence South 38° 46' 06" West, 173.6 feet to the starting point, containing 0.6 acres of land, conveyed by Jacob C. Basten and wife to Zimonick, grantee, by deed dated January 11, 1947, and recorded in Volume 267 of Deeds at page 583, bearing Document No. 337748;

And excepting from all of the aforesaid that part of the North One-Half of the Northwest Quarter of the Southeast Quarter (N ½ of NW ¼ of SE ¼) of Section Thirty-Two (32), in Township Twenty-Four (24) North, Range Twenty-One (21) East, Town of Preble, Brown County, Wisconsin, described as follows: A strip of land Sixty (60) feet in width to be known as Morrow Street, being Thirty (30) feet North and Thirty (30) feet South of the following described center line: Commencing at the Southwest corner of said Northwest Quarter of the Southeast Quarter and running thence S. 89° 59' 57" E., 48.95 feet to the East line of Henry Street; thence N 0° 49' 20" E on the East line of Henry Street, 839.0 feet; thence S 89° 14' 30" E, to the west line of a tract of land described in Volume 259 of Deeds on Page 577, Brown County Register of Deeds Office as a starting point; thence continuing S 89° 14' 30" E to the Southerly line of Kewaunee, Green Bay & Western Railroad Co's Right-of-Way; Also a strip of land Sixty (60) feet in width adjoining the Southerly line of said railroad Right-of-Way and running from the above described (Morrow Street) South 63° 51' 40" E, along said Right-

Recording Area

Name and Return Address

Parcel Identification Number (PIN)

of-Way to the tract of land described in Volume 267 of Deeds on Page 583, Brown County Register of Deeds Office; Also a Sixteen (16) foot strip described in Volume 229 of Deeds on page 134, Brown County Register of Deeds Office. The parcels of land herein excepted were conveyed by Jacob C. Basten and wife, to the Town of Preble, grantee, by deed dated December 17, 1948, and recorded in Volume 283 of Deeds at Page 405, bearing Document No. 376333.

STATE OF WISCONSIN)
) ss
COUNTY OF BROWN)

WHEREAS, the Basten Family Trust is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): benzene (22 ug/l) in MW-10, benzene (580 ug/l), toluene (410 ug/l), ethylbenzene (730 ug/l), xylenes (2700 ug/l), naphthalene (140 ug/l) and MTBE (85 ug/l) in MW-28, and benzene (47 ug/l) and naphthalene (73 ug/l) in MW-33. Location of monitoring wells and borings are provided on Figure 1 attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of _____, 19____.

By signing this document, Jacob C. Basten acknowledges that he is duly authorized to sign this document on behalf of the Basten Family Trust

Signature: _____

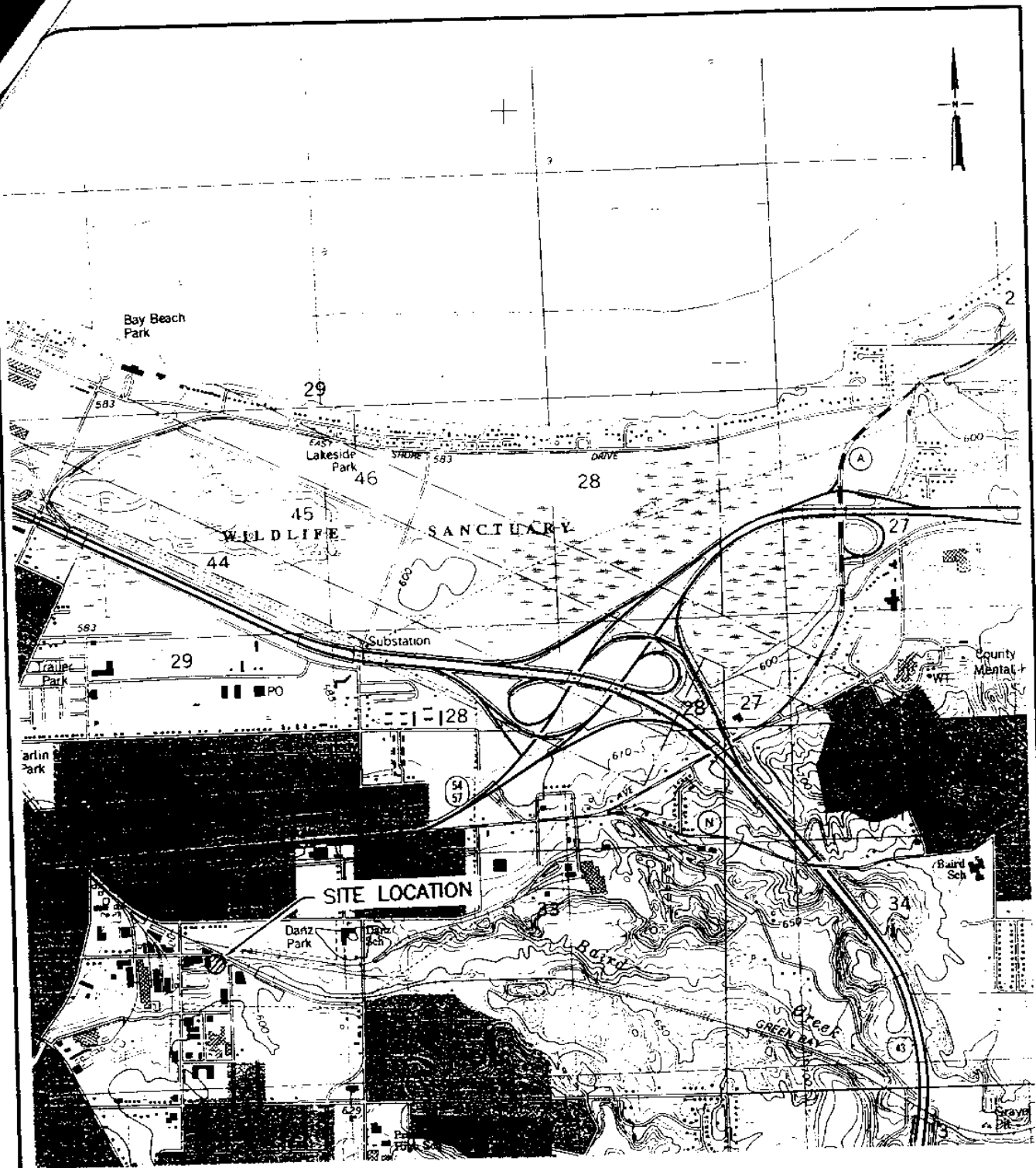
Printed Name: Jacob C. Basten

Subscribed and sworn to before me
this 16th day of Nov., 1999

Cheri W. Schuler
Notary Public, State of WI
My commission 12-1-02

This document was drafted by the Wisconsin Department of Natural Resources.





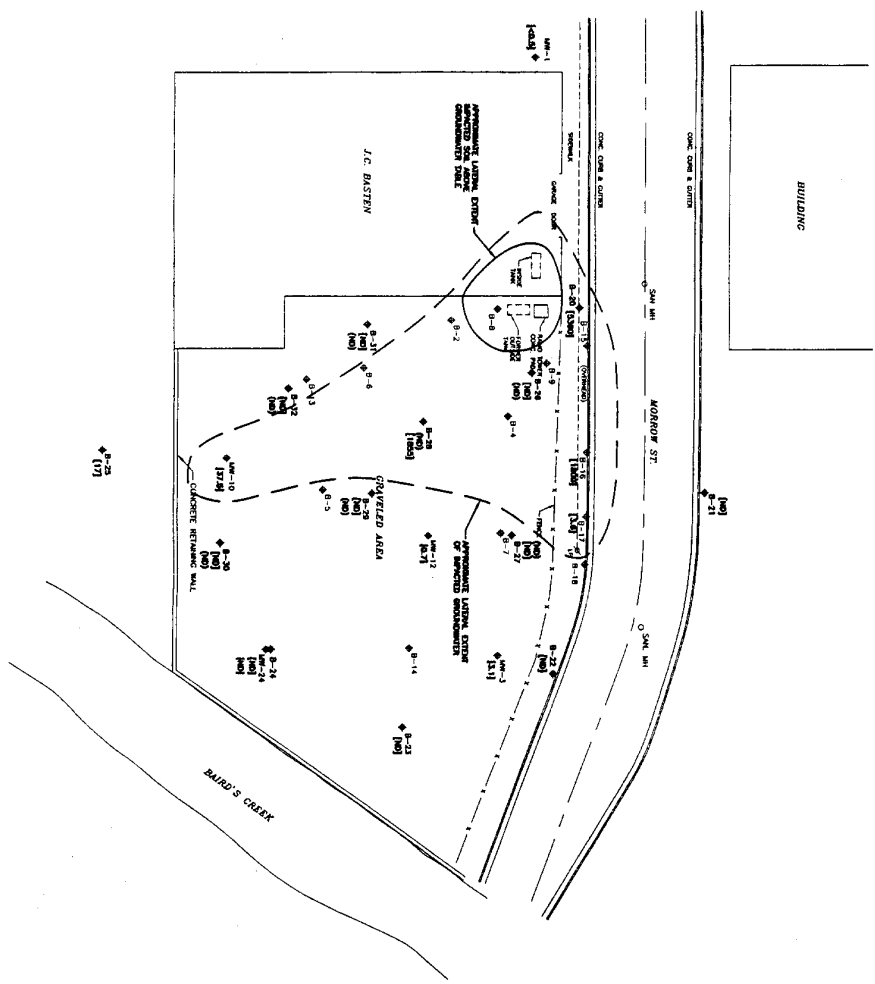
STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

SITE LOCATION MAP
J.C. BASTEN FAMILY TRUST
1834 MORROW STREET
GREEN BAY, WISCONSIN

DRAWN BY	D.J.M.	10-18-95
CHECKED BY	RJM	11-31-95
APPROVED BY	PR.B.	10-24-95
SCALE	FIGURE NO.	
1" = 2000'	21741W	
STS DRAWING NO.	1	

C:\21741W\FIG1.DWG



LEGEND

- ◆ SON LOGGING LOCATION
- WORKING WELL LOCATION
- (B) SON LOG CONCENTRATION mg/l FROM 3' - 1' IF NOT ENTERED
- (B) SON LOG CONCENTRATION mg/l IF ON BOLD WHITE LINE
- (B) SON LOG CONCENTRATION mg/l CONCENTRATION
- (B) SON LOG CONCENTRATION mg/l CONCENTRATION

NOTES: 1. SON DATA AT B-14 AND B-17 COLLECTED IN 1982.
2. LATERAL EXTENT OF IMPACTS DETERMINED BASED ON SON LOG DATA AND CONCENTRATION DATA. SON LOG DATA IN GREEN.

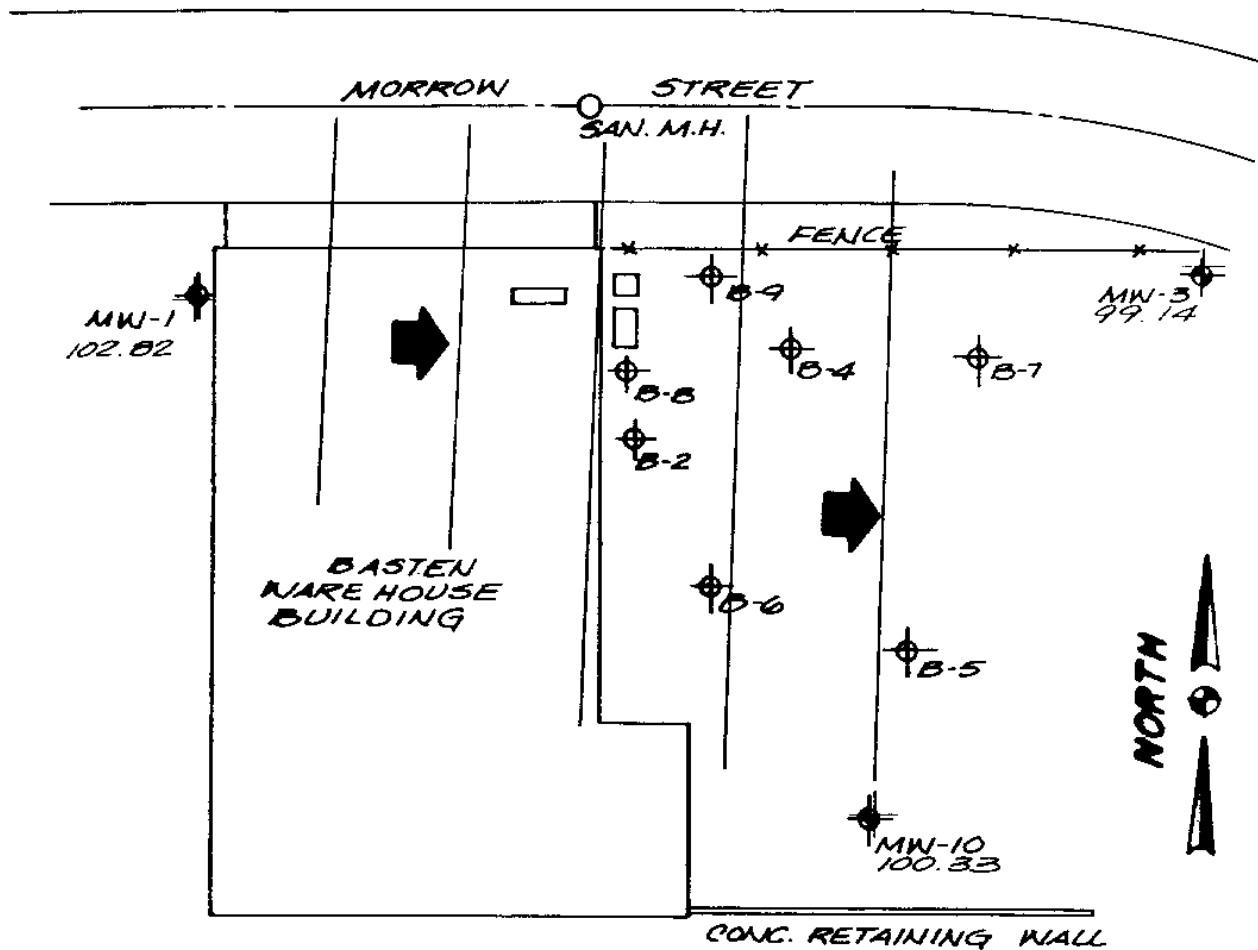
MAP PREPARED FROM DATA AND PHOTOGRAPHS BY ROBERT E. LEE & ASSOCIATES, INC.

J.C. BASTIEN FAMILY TRUST 1834 MORROW STREET GREEN BAY, WISCONSIN		DRAWN BY: D.J.M. DATE: 11-17-95 CHECKED BY: R.J.M. DATE: 11-17-95 APPROVED BY: _____ DATE: _____	
ESTIMATED LATERAL EXTENT OF PETROLEUM IMPACTS		FILE: W:\DWG95\21741W\F023.DWG	
25 PAGES 21741W		REVISIONS: _____ DESCRIPTION: _____ DATE: _____ BY: _____	



10/90

PL 10 L



LEGEND

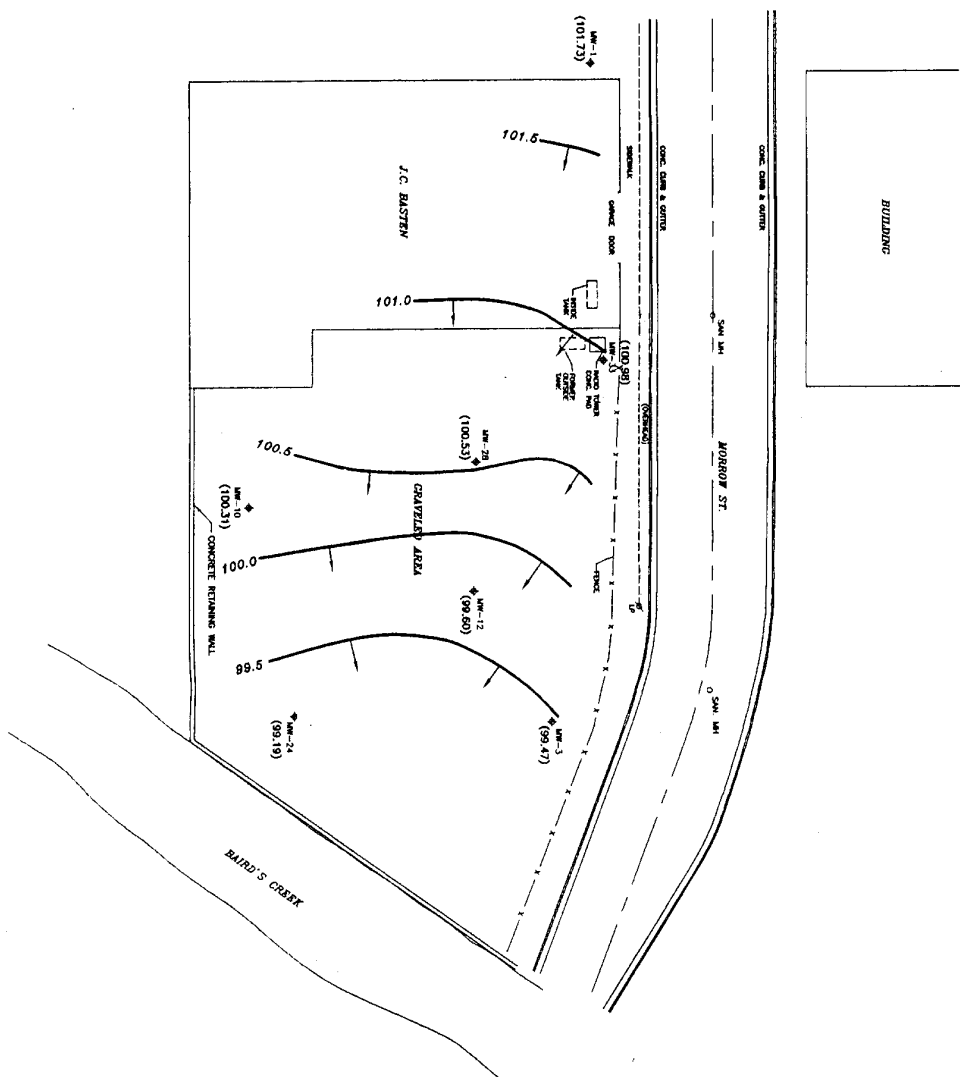
- ◆ SOIL BORING
- ◆ SOIL BORING WITH MONITORING WELL

SCALE: 1"=40'

GROUNDWATER CONTOUR MAP

10/1/90

FIGURE 3



LEGEND

- ◆ MONITORING WELL LOCATION
- (98.67) GROUNDWATER ELEVATION MEASURED 7-21-97
- 59- GROUNDWATER TABLE CONTOUR
- APPROXIMATE DIRECTION GROUNDWATER FLOW

MAP DEVELOPED FROM BASE MAP PROVIDED BY ROBERT E. LEE & ASSOCIATES, INC.



J.C. BASTEN FAMILY TRUST
1834 MORROW STREET
GREEN BAY, WISCONSIN
GROUNDWATER TABLE CONTOUR MAP (7-21-97)

DRAWN BY	D.J.M.	DATE	7-23-97
CHECKED BY	J.L.C.	DATE	7-23-97
APPROVED BY		DATE	
CADFILE	W:\DWG97\21741\W\G4741W01.DWG		

SIS PROJECT NO.
21741W
SIS PROJECT FILE
1" = 40'
SHEET NO. /

